

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

RAFAEL REFOJOS & ASSOC., et als.,
Plaintiffs,

v.

CIVIL NO. 03-1797 (DRD)

IDEAL AUTOMOTIVE, et als.,
Defendants.

ORDER

Pending before the Court is co-defendant Ideal Automotive and Truck Accessories, Inc.'s *Co-defendant Ideal's Verified Motion to Tax Costs, Expenses, and Attorney's Fees Against Plaintiffs*. (Docket No. 82). Through said motion, Ideal moves the Court to tax attorney's fees, costs and expenses in the amount of \$40, 754.99 provided that the Court entered an order dismissing plaintiffs' claims against it.

Local Rule 54(a) clearly states that an application for attorneys' fees "shall be filed within forty-five (45) days of **entry of judgment**." (*emphasis ours*). As for costs, Local Rule 54(b) further provides that bills of costs shall be prepared and filed "within thirty (30) days of **entry of judgment**." (*emphasis ours*). Understanding that the instant case is still pending before the Court regarding other defendants, the Court finds Ideal's request (Docket No. 82) as unripe, thus, **MOOT**. Accordingly, Ideal's request for attorneys' fees is **DENIED WITHOUT PREJUDICE** subject to being filed once final judgment has been entered. Plaintiffs' motion to strike Ideal's request (Docket No. 83) is also **MOOT** pursuant to that ordered herein.

IT IS SO ORDERED.

Date: March 1st, 2006

S/ Daniel R. Dominguez
DANIEL R. DOMINGUEZ
U.S. DISTRICT JUDGE